

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

NICHOLE LEIB, KEVIN  
BROKENSHERE, and DIANE  
WEIGLEY, individually and on behalf  
of all other similarly situated,

Plaintiffs,

v.

GEISINGER HEALTH and  
EVANGELICAL COMMUNITY  
HOSPITAL,

Defendants.

Case No. 4:21-cv-00196-MWB  
Judge Matthew W. Brann

**JOINT MOTION TO ADJUST/SET CASE DEADLINES**

Plaintiffs Nichole Leib, Kevin Brokenshire, and Diane Weigley (“Plaintiffs”) and Defendants Geisinger Health and Evangelical Community Hospital (“Defendants”) (together, the “Parties”), hereby move to adjust deadlines and set the following schedule concerning the above-captioned action:

1. The above captioned matter, *Leib, et al. v. Geisinger Health, et al.*, Case No. 4:21-cv-00196-MWB (“Leib Action”), was filed on February 3, 2021. A second action, *Sauer v. Geisinger Health, et al.*, Case No. 4:21-cv-00263-MWB (“Sauer Action”), was filed on February 12, 2021 (collectively, the “Actions”).

2. Plaintiffs and Defendants in the Leib and Sauer Actions have conferred and agree that the Actions are related and well-suited to proceeding on a consolidated basis.

3. Plaintiffs intend to file one or more motions requesting consolidation of the Actions under Fed. R. Civ. P 42(a) and appointment of interim lead class counsel under Fed. R. Civ. P. 23(g) so that the litigation may proceed in an orderly and efficient fashion.

4. The Parties agree that if the Court orders the Actions consolidated, Plaintiffs should file a consolidated complaint to govern the Actions and any later-filed actions (if any) based on substantially the same facts and asserting substantially the same legal claims.

5. The Parties further agree that it would be more orderly and efficient to extend the default times for Defendants to respond to the complaints in the Actions until a reasonable interval after the filing of a consolidated complaint.

6. The Parties therefore respectfully request that the Court modify deadlines in the above-captioned matter, as follows:

a. Within five (5) days of the Court entering an Order granting this motion, Plaintiffs will file a motion seeking: (i) under Fed. R. Civ. P. 42(a) to consolidate the Actions, and (ii) under Fed. R. Civ. P. 23(g) to appoint interim lead class counsel for the consolidated case;

- b. If the Court enters an Order consolidating this case, Plaintiffs will file a single consolidated class action complaint within seven (7) days of the Order's entry;
- c. Within sixty (60) days of Plaintiffs' filing of the consolidated class action complaint, Defendants shall answer or otherwise move under Fed. R. Civ. P. 12;
- d. If, instead of answering, Defendants file a motion under Fed. R. Civ. P. 12, Plaintiffs' opposition to such motion shall be due forty-two (42) days from the date of Defendants' motion, and Defendants' reply in support of such motion shall be due twenty-one (21) days from the date of Plaintiffs' opposition.

WHEREFORE, the Parties jointly request that the Court modify the operative deadlines as outlined above.

Dated: February 25, 2021

Respectfully submitted,

/s/ Shanon Jude Carson

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*/s/ Norman Armstrong, Jr.*

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